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| <b>Criterion #4: Not Promote Racial or Ethnic<br/>Discrimination or Segregation</b> |
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**State Criteria:** The proposed unification may not promote racial or ethnic discrimination or segregation, ref. Education Code Section 35753(a)(4). Section 18573(a)(4), Title 5, California Code of Regulations, sets forth five factors to be considered in determining whether reorganization will promote racial or ethnic discrimination or segregation:

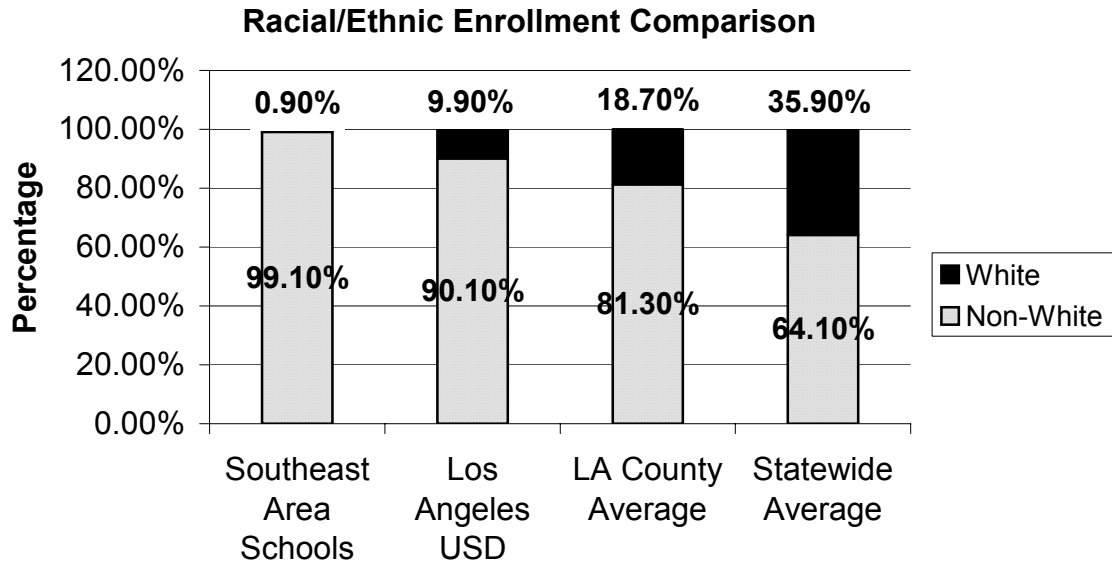
1. The current number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts, compared with the number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts if the proposal or petition were approved.
2. The trends and rates of present and possible future growth or change in the total population in the districts affected, in each racial and ethnic group within the total district, and in each school of the affected districts.
3. The school board policies regarding methods of preventing racial and ethnic segregation in the affected districts and the effect of the proposal or petition on any desegregation plan or program of the affected districts, whether voluntary or court ordered, designed to prevent or alleviate racial or ethnic discrimination or segregation.
4. The effect of factors such as distance between schools and attendance centers, terrain, geographic features that may involve safety hazards to pupils, capacity of schools, and related conditions or circumstances that may have an effect on the feasibility of integration of the affected schools.
5. The effect of the proposal on the duty of the governing board of each of the affected districts to take steps, insofar as reasonably feasible, to alleviate segregation of minority pupils in schools regardless of its cause.

**Analysis:** The analysis of the effect on racial and ethnic make-up and the ability of each district to take steps in alleviating the harmful effects of segregation on minority pupils post-unification are analyzed in five parts as required by Title 5:

**1. Racial and Ethnic Enrollment Analysis by District and by School**

NNW analyzed the racial/ethnic composition of the current district and the reorganized districts post-unification using student demographic data (CBEDS) from October 2000 CBEDS. The study area in the Southeast is nearly all comprised of Hispanic populations – about 98%. The non-white percentage of total enrollment is 99.10% on average for the Southeast study area. A school-by-school demographic analysis for the Southeast Area schools is shown in Appendix D-2.

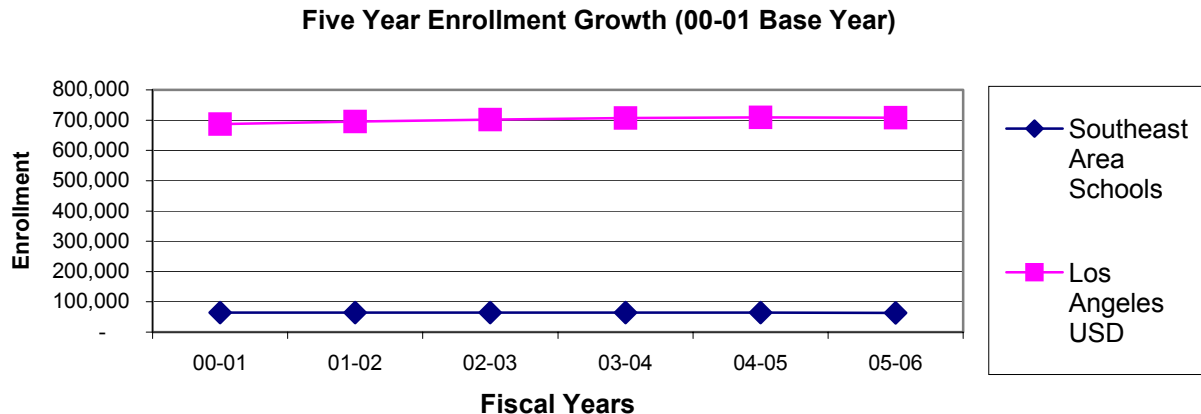
LAUSD is 90.01% non-white in total student enrollment – statistically high, like the Southeast Area. The following chart shows the Southeast area as compared to LAUSD, the county average and the statewide average.



Source: October 2000 CBEDS

## **2. Racial and Ethnic Trends and Rate of Change**

LAUSD is projecting no enrollment growth in the study area and only 1% or less districtwide. The following chart compares the two areas. Note that the enrollment projections provided by LAUSD exclude special education enrollment at the district level. However, the District projects the special education population separately to grow from 31,192 pupils in 2000-01 to 38,692 pupils by 2005-06 – a 24% increase in five years or 4.8% annually.



Source: October 2000 CBEDS

Overall, the racial/ethnic makeup is not likely to change significantly post-reorganization as: (1) enrollment growth is negligible; and, (2) both LAUSD and the Southeast Area are already predominately non-white.

### **3. Effect on Governing Board Policies and Plans Designed to Alleviate Segregation**

LAUSD has a policy and practice of intra-district attendance, i.e. open enrollment; operates magnet schools with free transportation; and has a variety of other integration programs, both voluntary and court-ordered (see Appendix D-4, Fingertip Facts – Student Integration Services, LAUSD). However, the entire district is overwhelmingly comprised of minority students, so integration opportunities are limited.

There are eight magnet schools within the study area and essentially all pupils enrolled at these schools are from the local District J area. Attendance out of District J is only about 180 students, according to figures provided by LAUSD as of October 23, 2001 (note: statistics on the three District I schools in the study area were not readily available but would probably be immaterial in numbers). This is less than one-half of one percent of the Southeast Area's enrollment. Unification of a Southeast Area would mean students attending magnet schools outside the area could only continue through approved interdistrict transfers; however, percentage-wise this would affect few pupils. And, even though pupils attend magnet schools out of the area, this does not mean that greater integration opportunities exist since LAUSD is over 90% minority. Thus, the proposed reorganization does not appear to affect the ability of each affected governing board in adopting policies to alleviate the harmful effects of segregation.

### **4. Factors Affecting the Feasibility of Integration**

LAUSD is geographically 707.72 square miles. By comparison, the Southeast Area is only about 7 square miles – 1% of LAUSD's total territory. The majority of LAUSD's territory is located north of downtown Los Angeles in the San Fernando Valley and west to Pacific Palisades (see district map at A-2). And, it is in these northern and western regions where demographically there are more white students (although the region remains approximately 75% minority -- compared to nearly 100% minority in the Southeast Area). To attempt to integrate the pupils in the Southeast Area with pupils in these regions is not impossible but is geographically difficult. The distances range 15 miles to 35 miles and follow heavily congested transportation routes.

In the study area, the school sites are overcrowded, making intra-district options into District J difficult. More pupils are bussed out of the Southeast Area than are bussed in due to overcrowded facilities – 180 students according to the LAUSD.

Overall, transportation routes and distances, along with overcrowded schools have created barriers to the feasibility of integration both today for LAUSD and for any reorganized districts in these areas.

### **5. Duty to Alleviate Segregation**

The governing boards of each affected school district, despite the barriers described above, would continue to have a duty to alleviate segregation, regardless of the cause. Under Education Code Section 35730.1, known as the Hayden Criteria, this duty would include:

- Paragraph (d): “Compliance with Crawford v. Board of Education... and the terms of the consent decree in Rodriguez v. Los Angeles Unified School District...”
- Paragraph (e): “Preservation of the policies used by magnet schools, charter schools, site-based management initiatives, and the LEARN program as those policies already exist in practice or pursuant to law.”
- And, in paragraph (h), the formation of the new district must not result in a diminution of minority protections.

### **Summary**

The following table summarizes the Southeast Area pre- and post-unification for the five factors evaluated.

| <b>Factors Evaluated</b>         | <b>LAUSD (Today)</b>  | <b>LAUSD (Reorganized)</b>  | <b>Southeast Area (Today)</b>  | <b>Southeast Area (Reorganized)</b>   |
|----------------------------------|---|---|--|---|
| 1. Racial/Ethnic Makeup*         | 90.1% Minority  | 89.2%   | 99.1% Minority   | 99.1% Minority  |
| 2. Demographic Trends*           | 722,700 pupils, increasing 1% annually  | 655,000 pupils, increasing 1% or more annually                    | 67,700 pupils, no growth   | 67,700 pupils, no growth  |
| 3. Governing Board Policies      | Intra-district attendance, magnet schools, voluntary and court-ordered programs | No change expected post-reorganization                            | 8 magnet schools, no intra-district attendance into the area, and approx. 180 attending outside the area | Continuance of magnet schools possible, attendance outside would be on board-approved interdistrict transfer agreements |
| 4. Integration Factors           | Barriers to transportation (geography, traffic), isolated minority populations  | Same factors affecting the feasibility of integration would exist | Geographically compact, densely populated area – nearly 100% minority Hispanic                           | Same factors affecting the feasibility of integration would exist   |
| 5. Duty to Alleviate Segregation | Compliance with Crawford v. Board of Education and terms of Rodriguez v. LAUSD  | Same duty of the governing board would exist                      | Compliance with Crawford v. Board of Education and terms of Rodriguez v. LAUSD                           | Hayden Criteria requires continued obligation by new school board   |

\*Source: October 2000 CBEDS

No significant changes in the racial/ethnic make up of either district is projected. None of the factors indicate that the proposed reorganization would promote racial or ethnic segregation or discrimination.

**Consultant's Conclusion:** Based on the data provided by the LAUSD, CBEDs enrollment data and NNW's analysis, the unification would not likely promote racial or ethnic discrimination or segregation.